G/m

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

FILED
2007 DEC 10 AM 10:42
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY KNH DEPUTY

'07 MJ 2860

UNITED STATES OF AMERICA **vs.** **Mario Alonzo GURROLA**	**Magistrate's Case No.** COMPLAINT FOR VIOLATION OF 21 U.S.C. 952 and 960 Unlawful Importation of a Controlled Substance

The undersigned complainant being duly sworn states:

COUNT ONE

That on or about December 9, 2007, within the Southern District of California, defendant Mario Alonzo GURROLA did knowingly and intentionally import approximately 28.20 kilograms (62.04 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[signature]

Signature of Complainant
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 10th day of December 2007.

[signature]

United States Magistrate Judge

United States of America
VS.
Mario Alonzo GURROLA

PROBABLE CAUSE STATEMENT

On December 9, 2007 at approximately 1800 hours, Mario Alonzo GURROLA (a.k.a. Hector Rivas) entered the United States from Mexico at the Otay Mesa Port of Entry (OTMPOE), San Diego, California as the driver and sole occupant of a Chrysler LHS bearing California license plate 4ZMJ056. A Customs and Border Protection Officer (CBPO) came in contact with GURROLA on lane 10. GURROLA stated he was an American Citizen. The CBPO asked GURROLA the purpose of his trip to Mexico. GURROLA stated he just had a newly born grandchild and he wanted to purchase some things for the baby. GURROLA stated he lived in Ontario, CA and he was going home. The CBPO obtained two negative customs declarations from GURROLA. The CBPO noticed the purchases GURROLA talked about were nowhere in the front or rear seats of the Chrysler. The CBPO asked GURROLA to open his trunk. As the CBPO opened the rear trunk, he observed a newly purchased baby tub and baby blanket. The CBPO was expecting more purchases since GURROLA had driven a couple of hours away from Ontario. The CBPO asked GURROLA if the vehicle belonged to him and GURROLA replied yes. The CBPO requested the registration to the vehicle and noticed GURROLA was the registered owner of the vehicle. The CBPO proceeded to tap the spare tire that was located in the trunk. The CBPO then walked to the passenger side of the vehicle and inspected the gas tank. The CBPO tapped the gas tank with his screwdriver and noticed it sounded solid as if it were stuffed with something. The CBPO escorted GURROLA and the vehicle in the secondary lot for further inspection.

G-J-M

A Canine Enforcement Officer (CEO) screened the Chrysler GURROLA was driving with his Narcotic/Human Detector Dog (NHDD). The NHDD alerted to a narcotic odor emitting from the gas tank of the Chrysler.

A Customs and Border Protection Officer (CBPO) conducted an intensive inspection on the Chrysler. A total of 58 packages containing approximately 28.20 kilograms (62.04 pounds) of marijuana were found concealed within the gas tank of the vehicle. A presumptive test of one of the packages revealed a positive reaction to the presence of marijuana.

GURROLA stated post-miranda he was to be paid $2100 USD for the smuggling venture. GURROLA stated he was told there would be marijuana in the Chrysler. GURROLA stated he was going to drop the Chrysler off in South Central Los Angeles, CA.

GURROLA was arrested and charged with violation of Title 21 USC 952, 960, Unlawful Importation of a Controlled Substance, and was booked into the Metropolitan Correction Center, San Diego, CA.